

# LAND RECLAMATION COMMISSION

STATE OF MISSOURI

P.O. BOX 176

JEFFERSON CITY, MISSOURI 65102

573-751-4041

## Permit To Engage in Surface Mining

LAND RECLAMATION COMMISSION

ISSUES TO

WINTER BROTHERS MATERIAL COMPANY

Pursuant to "The Land Reclamation Act," RSMo, 2001, and on conformity with the statements

In the application, a permit is hereby granted to engage in surface mining of  
sand & gravel in the state of Missouri. The extent of the


Proposed mining operation(s) will be on nine — acres, more or less.

The locations of the operation(s) under this permit is/are as follows: Amendment

County	Section	Township	Range	Acres Renewed	Acres New	Total Acres	Site/Stream Name	Site Number
Jefferson	USS 3011	43N	05E	0	9	9	Allen Road Site	0021

This permit may be suspended or revoked upon violation of any or all of the conditions set forth in "The Land Reclamation Act," RSMo. 2001, or in such rules and regulations as are promulgated pursuant thereto by the Land Reclamation Commission.

IN WITNESS WHEREOF I have hereunto set my hand this 8th day of July 2004

  
DIRECTOR OF STAFF  
Land Reclamation Commission

Permit No. 0010 A-1  
Effective Date 07/08/2004  
Expiration Date 12/31/2004



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION

PERMIT APPLICATION FOR INDUSTRIAL MINERAL MINING

RECEIVED

P.O. BOX 176  
JEFFERSON CITY, MO 65102

JUN 18 2004

NAME OF CORPORATION, COMPANY, PARTNERSHIP OR INDIVIDUAL <u>Winter Brothers Material Co.</u>		DATE <u>6-15-04</u>	
ADDRESS <u>13098 Gravois Rd / St</u>	CITY <u>St. Louis</u>	STATE <u>MO.</u>	ZIP CODE <u>63127</u>
CONTACT PERSON <u>Vic Nahlik</u>		TELEPHONE NUMBER <u>(314) 543-1400</u>	

Check any that apply:

☐ New Permit

☒ Permit Renewal

☐ Permit Amendment

☐ Permit Revision

☐ Permit Expansion

SITE NAME OR NUMBER	ACRES TO BE PERMITTED		TOTAL ACRES FOR ALL SITES
	INSTREAM	ALL OTHER	
<u>Number 0010</u> <u>Allen Road Site</u>		<u>33</u>	<u>33</u>

<b>Fees - Complete A or B</b> A - For sand and gravel operators mining less than 5,000 tons/year Permit Fee ..... \$100.00 Number of new acres ..... X \$35.00/acre .... \$ ..... B - For ALL other operations Permit Fee ..... \$350.00 Number of sites ..... X \$40.00/site ..... \$ ..... Number of new acres <u>9</u> X <u>\$35.00/acre</u> ..... \$ <u>315.00</u> Total fees ..... \$ <u>315.00</u>	<b>Bonding for all acreage EXCEPT instream - Complete A or B</b> A - For sand and gravel operators mining less than 5,000 tons/year Number of new acres ..... X \$500.00/acre ... \$ ..... B - For ALL other open pit operations Minimum per permit ..... \$ 8,000.00 Acreage over 8 acres <u>23</u> X \$500.00/acre ..... \$ <u>11,500</u> Number of new acres where topsoil will be sold or discarded ..... X \$4,500.00/acre ..... \$ ..... Total bonding required ..... \$ <u>11,500</u> <input type="checkbox"/> Check here if adequate bonding is already posted.
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List all other Land Reclamation Commission permits previously or currently held by applicant or by companies owned or partially controlled by applicant. If none, write "none" below.

NAME OF COMPANY	PERMIT NUMBER	MINERAL COMMODITY	YEARS

For any of the above which have been served Cessation of Operations or Bond Forfeiture, or have unabated Notices of Violation, please give:

PERMIT NUMBER	TYPE OF ACTION

I certify that all statements made on this application are correct, complete, and true, to the best of my knowledge.

SIGNATURE OF APPLICANT <u>Vic Nahlik</u>	TITLE <u>Operations Mgr.</u>	DATE <u>6-15-04</u>
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Appeared before me this 15 day of June, 1904 Vic Nahlik to me personally known, who executed the above as their free acts and deeds.

NOTARY PUBLIC EMBOSSEER SEAL	STATE <u>Missouri</u>	COUNTY (OR CITY OF ST. LOUIS) <u>County of St. Louis</u>
	SUBSCRIBED AND SWORN BEFORE ME, THIS <u>15</u> DAY OF <u>June</u> , 20 <u>04</u>	
	NOTARY PUBLIC SIGNATURE <u>Sally J. Rogers</u>	MY COMMISSION EXPIRES <u>Oct. 8, 2004</u>
	NOTARY PUBLIC NAME (TYPED OR PRINTED) <u>Sally J. Rogers</u>	

APPROVED BY (DIRECTOR'S REPRESENTATIVE) <u>Michael J. ...</u>	DATE APPROVED <u>7/2/04</u>	PERMIT NUMBER <u>0010</u>	EXPIRATION DATE <u>12/31/04</u>
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MO 780-1007 (1-94) ATTACH SITE INFORMATION FORM(S), MINE PLAN FORM(S), PROOF OF PUBLIC NOTICE, AND CONSENT OF ENTRY FORM (IF NEEDED)

OCT 18 2000



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**SITE INFORMATION FORM**

MISSOURI LAND  
RECLAMATION COMMISSION

To be completed for each separate area of disturbance associated with mining operations. DATE: 10-11-00

SITE NAME OR NUMBER <b>ALLEN ROAD SITE</b>		PERMIT NUMBER <b>0010</b>	
COMPANY NAME <b>WINTER BROTHERS MATERIAL CO.</b>			
COUNTY <b>JEFFERSON</b>	1/4 SECTION	SECTION <b>3011</b>	
TOWNSHIP <b>43N</b>	RANGE <b>5E</b>	ACRES <b>TT 11-22-00</b> <b>33 150</b>	
RIVER OR STREAM NAME (FOR IN-STREAM ACRES) <b>N/A</b>			
MINERAL COMMODITY <b>SAND AND GRAVEL</b>		ESTIMATED TONS/YEAR (FOR GRAVEL SITES) <b>OVER 5,000 TONS</b>	

NAME OF LANDOWNER (ATTACH LIST IF MORE THAN ONE) <b>WINTER BROTHERS MATERIAL CO.</b>		
ADDRESS <b>13098 GRAVOIS ROAD</b>		
CITY <b>ST. LOUIS</b>	STATE <b>MO</b>	ZIP CODE <b>63127</b>
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input checked="" type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT

MINERAL RIGHTS OWNER (ATTACH LIST IF MORE THAN ONE) <b>SAME AS ABOVE</b>		
ADDRESS		
CITY	STATE	ZIP CODE
SOURCE OF RIGHT TO MINE (CHECK ONE): <input type="checkbox"/> MINERAL DEED <input type="checkbox"/> WARRANTY DEED <input type="checkbox"/> OTHER (DESCRIBE): _____		<input type="checkbox"/> LEASE <input type="checkbox"/> VERBAL AGREEMENT DATE OF AGREEMENT

**NOTE:** Each site must be shown on a map and be included in a public notice and an approved mine plan.



MISSOURI DEPARTMENT OF NATURAL RESOURCES  
LAND RECLAMATION COMMISSION  
**MINE PLAN**

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MISSOURI LAND RECLAMATION COMMISSION  
JEFFERSON CITY, MO 65102

TYPE OF PLAN (CHECK ONE):

☐ SHORT TERM, FOR ONE PERMIT YEAR

☒ LONG TERM, FOR PERIOD THROUGH DATE: Thru December 31, 2014

MISSOURI LAND  
RECLAMATION COMMISSION

DESCRIPTION OF SITE PRIOR TO LAND RECLAMATION COMMISSION PERMITTING (BY APPLICANT OR PRIOR OPERATOR), INCLUDING SOIL, VEGETATION AND TOPOGRAPHY.

Flat flood plain area with extreme slope along Meramec River bank.

**OPERATION PLAN - 10 CSR 40-10.020(2)(D)1.**

**A. TOPSOIL**

AVERAGE DEPTH OF TOPSOIL, PRIOR TO LAND RECLAMATION COMMISSION PERMITTING

12 INCHES

IS TOPSOIL TO BE SOLD OR DISCARDED OFFSITE?

☐ YES OR ☒ NO N/A

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL REMOVAL

After initial removal of brush and debris a minimum of 12 inches of top soil is removed by track loader immediately ahead of the dredging operation.

DESCRIBE METHODS AND EQUIPMENT USED FOR TOPSOIL STORAGE AND PROTECTION

The topsoil is stored and protected in a stock pile ahead of the dredging operation near the pit area.

**B. SPOIL**

DESCRIBE METHODS AND LOCATION OF SPOIL PLACEMENT AND DISPOSAL

N/A

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JUN 19 1997MISSOURI LAND  
RECLAMATION COMMISSION**C. ACID MATERIALS**

DESCRIBE METHODS AND EQUIPMENT USED FOR HANDLING ACID MATERIALS (IF NONE IS ANTICIPATED, WRITE "NONE" BELOW)

None

**D. PIT INFORMATION (GIVE ALL DIMENSIONS IN FEET)**

DESCRIBE LOCATION AND ORIENTATION OF PIT, IF NOT CLEAR ON SITE MAPS

See site maps

YES NO

☐☒

Will any excavation be at or within fifty feet (50') of the right-of-way of any public road?

☐☒

Will any highwall consisting of unconsolidated materials be left within fifty feet of the right-of-way of any public road? (NOTE: For unconsolidated materials left in place, a slope of no more than forty degrees may start near the right of way, and in no case may the excavation be closer to the right of way than fifty feet or twenty-five feet plus one and one-half (1-½) times the depth of unconsolidated material, whichever is greater, unless a variance is granted by the Commission.)

☐☒

Will any excavation start at or within fifty feet (50') of any property line?  
(NOTE: If the answer is "yes", a safety barrier may be needed.)

1 JUN 19 1997 D

RECLAMATION PLAN - 10 CSR 40-10.0 2)(D)2.

A. REVEGETATION (Attach additional sheets, if needed)

MISSOURI LAND RECLAMATION COMMISSION

REVEGETATION MIX #1

Trees

PURPOSE OR LAND USE

Recreation & Wildlife

SEEDING OR PLANTING TIME

Summer 1991

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

See site maps on Area E & H, these two bank areas were hydro-seed-wet mix along with a layer of protective straw. This being done has proven unsuccessful due the natural dynamic forces and periodic flooding of the Meramec River.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
Reed Canary Grass Annual Rye Grass	30 20	Silver Maple Green Ash	10

REVEGETATION MIX #2

Trees

PURPOSE OR LAND USE

Development, Recreational

B. SEEDING OR PLANTING TIME

Spring 1997

DESCRIBE METHODS AND EQUIPMENT TO BE USED FOR SEEDING OR PLANTING

In reference to DNR letter to Winter Brothers Material Co., dated October 6, 1994, paragraph I & J trees may be used for revegetation. As suggested by MDOC we are presently in our 3rd year of planting trees on bank area "H", as trees planted the previous two years proved unsuccessful.

Lime and fertilizer will be applied according to recommendations made, based on an analysis of soil texture and nutrients. Mulch will be applied to all slopes exceeding 5:1.

SEEDED SPECIES	POUNDS/ACRE	TREE OR SHRUB SPECIES	STEMS/ACRE
	300 250 100	Sycamore Sweet Gum Orange Osage	650 trees

ATTACH ADDITIONAL SHEETS FOR ADDITIONAL SEED MIXES.

**B. GRADING****DESCRIBE PROPOSED RECLAIMED TOPOGRAPHY, INCLUDING SLOPES**

Water recreation area: Area served will increase the water recreation areas served by the following Public Parks; George G. Winter Park ( St. Louis County), Robert A. Winter Park (St. Louis County), and Winter Park of Jefferson County. Final Meramec River banks will, where practical considering their location in a flood plain, be graded to at least a 3:1 slope and vegetated. That is, these particular areas may be exempt under 10CSR40-10.050(13)

**C. DESCRIBE THE GENERAL SEQUENCE AND TIMING OF THE FOLLOWING ACTIVITIES****GRADING**

Most of the mined area will be added to the existing water reservior area yearly, with bank restoration to its natural state following final cessation of dredging on the acreage which will be retained as a river bank.

**REPLACEMENT OF TOPSOIL**

See above

**REVEGETATION**

See above

**AVERAGE DEPTH OF REPLACED TOPSOIL (INCHES)**

N/A 12"

**D. USE OF LAND WHEN RECLAIMED**

Estimate acreage of each land use below, after reclamation

**ESTIMATED ACRES:**

Wildlife (forest or other habitat with livestock excluded)

Agricultural (pasture, cropland, and horticultural)

Development (residential, industrial, and recreational)

30

Water impoundments (for wildlife, agricultural, or development)

120

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JUN 19 1997

By my signature, I attest to the following:

1. All statements made on this Mine Plan Form are correct, complete, and true, to the best of my knowledge.
2. I or the company I am authorized to represent intend(s) to mine in accordance with this Mine Plan Form, and in accordance with the Missouri Land Reclamation Act, Sections 444.760 through 444.789, RSMo (Supp. 1990), and all rules, regulations, orders, decisions and permits of the Missouri Land Reclamation Commission pertaining to my company's surface mining operations.
3. I have obtained the approval of all landowner's for all proposed post-reclamation land uses.
4. I have a valid agreement with all landowners which gives me the right to grant access to the Director of the Missouri Land Reclamation Commission and his authorized representatives, and I grant such access, and further where I have no such right, I have attached signed affidavits from the landowners, granting such access.

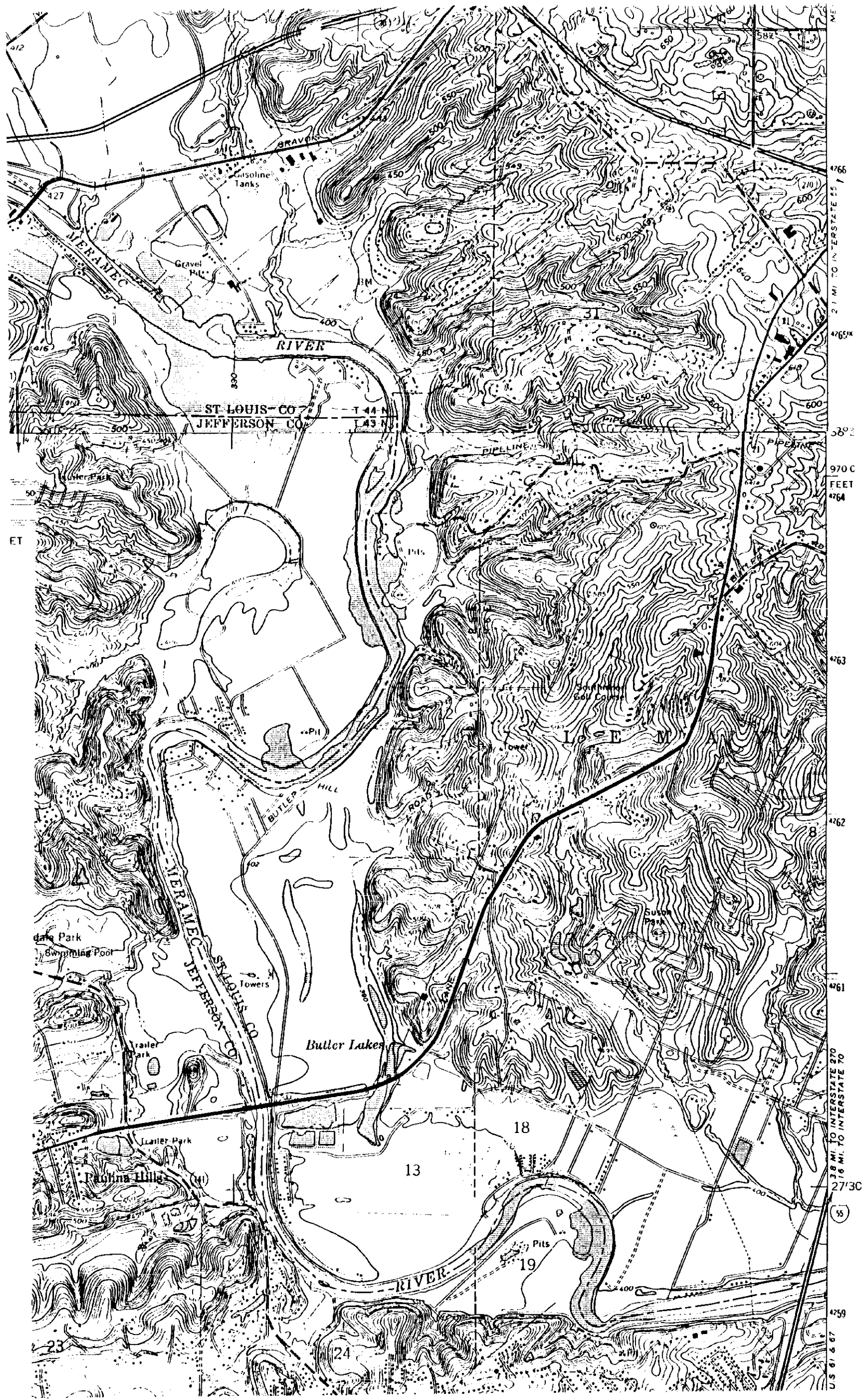
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JUN 19 1997

MISSOURI LAND  
RECLAMATION COMMISSION

SIGNATURE OF APPLICANT <i>Vic Nahlok</i>		TITLE Plant Sup.	DATE 6-17-97
NOTARY PUBLIC EMBOSSEER SEAL	STATE Missouri		COUNTY (OR CITY OF ST. LOUIS) County of St. Louis
	SUBSCRIBED AND SWORN BEFORE ME, THIS 17 DAY OF June 1997		USE RUBBER STAMP IN CLEAR AREA BELOW  SALLY J. ROGERS NOTARY PUBLIC - STATE OF MISSOURI ST. LOUIS COUNTY MY COMMISSION EXPIRES OCT. 8, 2000
	NOTARY PUBLIC SIGNATURE <i>Sally J. Rogers</i>	MY COMMISSION EXPIRES Oct. 8, 2000	
	NOTARY PUBLIC NAME (TYPED OR PRINTED) SALLY J. ROGERS		
APPROVED BY (DIRECTOR'S REPRESENTATIVE) <i>Thomas J. [Signature]</i>		DATE APPROVED 11-20-97	PERMIT NUMBER 10







RECEIVED

JUN 18 2004

MISSOURI LAND  
RECLAMATION COMMISSION

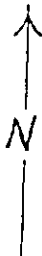
GEORGE WINTER  
PARK

St. LOUIS CO.

JEFFERSON CO.

WINTER PARK  
OF JEFFERSON  
COUNTY

MERAMEC RIVER



WINTER BROTHERS  
MATERIAL CO.  
JEFFERSON  
COUNTY

S-3011 TWN 43N  
R5E

SCALE 1"=660'

RED LINE NOTES

PROPERTY &

MINE PLAN LINES

YELLOW NOTES

PERMITTED

AREAS

DATE 6-15-04

PREPARED BY VIC NAHLIK

9 New Acres

AREA J  
11 Acres

AREA I  
13 Acres

Flow

ROBERT  
WINTER  
PARK

CORISANDI RD.

AMEC RIVER